

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*
State Engineer

Plaintiff,

vs.

ROMAN ARAGON, *et al.*,

Defendants.

69cv07941-MV/KK

RIO CHAMA STREAM SYSTEM
Section 3: Canjilon Creek

Subfile Nos. CHCJ-002-0024
CHCJ-002-0025
CHCJ-002-0026
CHCJ-002-0035
CHCJ-002-0041
CHCJ-002-0048
CHCJ-002-0049A
CHCJ-002-0049B
CHCJ-002-0050
CHCJ-003-0025
CHCJ-003-0051
CHCJ-003-0053
CHCJ-003-0054
CHCJ-003-0055
CHCJ-003-0056
CHCJ-003-0057
CHCJ-003-0058
CHCJ-003-0059A
CHCJ-003-0059B
CHCJ-003-0061
CHCJ-003-0067
CHCJ-003-0068
CHCJ-004-0028
CHCJ-004-0040
CHCJ-004-0047

**MOTION TO CORRECT CLERIAL ERROR IN DESCRIPTION OF
POINT OF DIVERSION OF EL LLANO DITCH IN CANJILON CREEK SUBSECTION
OF SECTION 3 OF THE RIO CHAMA STREAM SYSTEM**

Plaintiff State of New Mexico, *ex rel.* State Engineer, (“State”) moves the Court to amend the subfile orders listed below in the Canjilon subsection of Section 3 of the Rio Chama

Stream System (“Canjilon Subsection”) to correct a clerical error in description of the point of diversion for the El Llano ditch. As grounds therefore Plaintiff states:

1. In the subfile orders listed below, the X coordinate of the point of diversion for the El Llano ditch is described as $X = 1,593,224$ feet. The correct description is $X = 1,593,223$ feet, as described in the July 14, 2000 hydrographic survey of the Canjilon Subsection, and in all other subfile orders entered by the Court in these proceedings describing the coordinates of the point of diversion for the El Llano ditch.

CHCJ-002-0024
Consent Order filed January 25, 2005 (Doc. 7753)

CHCJ-002-0025
Consent Order filed January 25, 2005 (Doc. 7734)

CHCJ-002-0026
Consent Order filed August 27, 2009 (Doc. 9493)

CHCJ-002-0035
Default Order filed February 13, 2008 (Doc. 9110)

CHCJ-002-0041
Consent Order filed October 2, 2008 (Doc. 9300)

CHCJ-002-0048
Consent Order filed October 2, 2008 (Doc. 9299)

CHCJ-002-0049A
Consent Order filed February 8, 2008 (Doc. 9099)

CHCJ-002-0049B
Consent Order filed October 2, 2008 (Doc. 9302)

CHCJ-002-0050
Default Order filed February 13, 2008 (Doc. 9111)

CHCJ-003-0025
Consent Order filed November 5, 2008 (Doc. 9318)

CHCJ-003-0051
Consent Order filed September 3, 2004 (Doc. 7582)

CHCJ-003-0053

Default Order filed January 7, 2009 (Doc. 9363)

CHCJ-003-0054

Default Order filed February 13, 2008 (Doc. 9110)

CHCJ-003-0055

Consent Order filed November 18, 2004 (Doc. 7658)

CHCJ-003-0056

Consent Order filed May 6, 2008 (Doc. 9183)

CHCJ-003-0057

Consent Order filed May 6, 2008 (Doc. 9184)

CHCJ-003-0058

Default Order filed February 13, 2008 (Doc. 9110)

CHCJ-003-0059A

Default Order filed January 7, 2009 (Doc. 9363)

CHCJ-003-0059B

Default Order filed January 7, 2008 (Doc. 9363)

CHCJ-003-0061

Consent Order filed March 3, 2009 (Doc. 9420)

CHCJ-003-0067

Consent Order filed May 6, 2008 (Doc. 9186)

CHCJ-003-0068

Consent Order filed November 1, 2007 (Doc. 8995)

CHCJ-004-0028

Consent Order filed December 10, 2007 (Doc. 9046)

CHCJ-004-0040

Consent Order filed April 7, 2008 (Doc. 9157)

CHCJ-004-0047

Consent Order filed May 17, 2005 (Doc. 7868)

WHEREFORE, the State requests the Court to amend the description of the coordinates of the point of diversion for the El Llano ditch in the subfile orders described above to state that the X coordinate of the point of diversion is $X = 1,593,223$ feet.

Pursuant to the Court's February 4, 2013 Order (Doc. 10891), the State requests the Clerk of the Court to mail a copy of the approved Order requested in this Motion to the parties listed below at the address listed.

/s/ Felicity Strachan
EDWARD G. NEWVILLE
FELICITY STRACHAN
Special Assistant Attorneys General
Office of State Engineer
P.O. Box 25102
Santa Fe, NM 87504-5102
(505) 819-1044
felicity.starchan@state.nm.us

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 15th day of August, 2018, I filed the foregoing electronically through the CM/ECF system which caused the parties listed on the electronic service list, as more fully set forth in the Notice of Electronic Filing, to be served via electronic mail, and served the following non-CM/ECF Participants in the manner indicated:

via first class mail, postage prepaid addressed as follows:

Eliza J. Jaramillo
Leo Jaramillo
2724 Washington NE
Albuquerque, NM 87110

Jerry Castillo
Mary W. Castillo
250 Calle Vista Grande
Bernalillo, NM 87004

Henrietta Morales
Moises Morales Jr.
P.O. Box 54
Tierra Amarilla, NM 87875

Andrew Valdez
P.O. Box 605
Canjilon, NM 87515

Bertha Baca

1115 Ocate Rd. #54
Santa Fe, NM 87505

Jose Lorenzo Martinez
P.O. Box 532
Canjilon, NM 87515

Fermin Maes
P.O. Box 543
Canjilon, NM 87515

David Manuel Maes
P.O. Box 634
Canjilon, NM 87515

Chris Montañño
5404 Monterey Cove NW
Albuquerque, NM 87114

Carlos A. Garcia
4009 Donald Rd. SW
Albuquerque, NM 87105

Lena Sanchez
P.O. Box 1048
Española, NM 87532

Joseph D. Montoya
P.O. Box 561
Canjilon, NM 87515

Charles Vigil Jr.
1120 Industrial Park, Ste. 302
Española, NM 87532

Johnny D. Montoya
Juanita Montoya
P.O. Box 561
Canjilon, NM 87515

Jose Lorenzo Martinez Jr.
P.O. Box 411
Canjilon, NM 87515

Abraham A. Chavez
Lena E. Chavez
815 ½ N. Aztec Blvd.

Aztec, NM 87410

Marilyn Baldonado
P.O. Box 80852
Albuquerque, NM 87198-0852

Zaqueo Salazar
P.O. Box 37
Canones, NM 87516

Norman D. Vigil
Rosalie E. Vigil
7312 Calle Montana NE
Albuquerque, NM 87113

Angel B. Collado
Esther J. Collado
1331 Park Ave SW #1501
Albuquerque, NM 87102

Ralph Baca
122 Arvilla NW
Albuquerque, NM 87107

Alfredo J. Trujillo
Mae C. Trujillo
P.O. Box 563
Canjilon, NM 87515

Fermin Maes
Joseph M. Maes
P.O. Box 543
Canjilon, NM 87515

Juanito B. Maes Jr.
P.O. Box 543
81D County Rd. 122
Española, NM 87532

Tomas Maes
Box 2357
Bernalillo, NM 87004

Dolores Baca
P.O. Box 512
Canjilon, NM 87515

/s/ Felicity Strachan
FELICITY STRACHAN